

**MINUTES OF THE REGULAR MEETING OF THE TOBACCO PREVENTION AND
CESSATION EXECUTIVE BOARD
DECEMBER 9, 2002**

Mr. Bain Farris, Chairman, called the regular meeting of the Tobacco Prevention and Cessation Executive Board to order at 1:30 p.m., in the 2nd floor Conference Room of the ISTA Building, 150 West Market Street.

The following Executive Board members were present for all or part of the meeting:

Bain J. Farris, Chairman
Karla Sneegas, MPH, Executive Director
Dr. Greg Wilson, Vice Chairman (Ex-Officio)
Richard Huber, MD
Richard Feldman, MD
Steven Jay, MD
Michael Blood, MD
J. Michael Meyer
Gaylon J Nettles for Phyllis Lewis, Department of Education for Suellen Reed, (Ex Officio)
James Jones
Peggy Voelz
Allen Snell, MD
Robert Keen, MD
Alice Weathers
Robbie Barkley
Steve Simpson, MD
Patricia Hart

The following Advisory Board members were present for all or part of the meeting:

Arden Christen, DDS
Diane Swanson
Diane Clements

The following Executive and Advisory Board members were not in attendance:

Matt Steward for Steve Carter, (Ex-Officio)
Janet Corson for John Hamilton, (Ex-Officio)
Mohammad Torabi, PhD
Cecilia Williams (Advisory Board)
Olga Villa Parra (Advisory Board)
Kiki Luu, (Advisory Board)
Heather McCarthy, (Advisory Board)
Bennett Desadier, MD, (Advisory Board)
Steve Montgomery, (Advisory Board)
Nadine McDowell, (Advisory Board)
Robert Arnold, (Advisory Board)
Kate Taylor, (Advisory Board)
Steve Guthrie, (Advisory Board)

Agency Staff in attendance:

J.D. Lux, Deputy Director & General Counsel
Anita Gaillard, Director of Community Programs
Celesta Bates, Chief Financial Officer
Miranda Spitznagle, Director of Program Evaluation
Phil Lehmkuhler, Director of Contract Management & Human Resources
Kristen Kearns, Administrative Assistant
Jack Arnett, Regional Program Director for Northern Indiana

Nikki Haars, Regional Program Director for Central Indiana
Karen O'Brien, Regional Program Director for Southwestern Indiana

Agency Staff not in attendance:

Becky Haywood, Administrative Assistant
Dan Morgan, Regional Director for Southeastern Indiana
Lori Peterson, Director of Minority Programs

Others in attendance:

Derek Sublette, Baker and Daniels
Debi Hudson, Clarian Tobacco Resource Center
Hannah Thomason, Clarian Tobacco Resource Center
Penny Davis, Indiana State Excise
Patricia Richards, American Cancer Society
Sandy Cummings, Marion County Health Department
Harry Davis, MZD
Mararet Davidson, MZD
Robin Tew, Office of Governor
Monica Greer, Delaware County Tobacco Free Coalition
Tonya Miller Bailey, Tobacco Free Coalition of Delaware County
Sarah Ray, AIR
Doug Evans, AIR
Gurinder Hohl, Marion County Health Department

Mr. Farris called for approval of the minutes of the September meeting. Motion to approve the minutes with no corrections was made by Dr. Jay, seconded by Mr. Jones. Motion approved.

Mrs. Sneegas introduced Rick Stoddard, saying that he has been spending an enormous amount of time in Indiana this year, and that most may recognize him from our media campaign that started one year ago. She also added how he is doing such marvelous work speaking in schools all over Indiana about the loss of his wife, Marie Stoddard, who died at the young age of 46 due to lung, brain and liver cancer caused by smoking.

Mr. Stoddard noted that he had already heard what is going on with our budget cuts. He stated that every time money is taken from our funds, a dollar value is being put on people's lives. He said that it doesn't matter how many dollars it is, he knows one life it wasn't worth (referring to his late wife).

Action Items:

Funding Recommendations:

A report for funding recommendations was given by Mrs. Gaillard. She began by reminding the board that they have already approved funding for the 92 counties for the community-based partners, and 27 minority-based partners representing 20 counties and we are working on 9 counties for the remaining minority-based partners. Three applications have been received, and approval is requested for two of those three.

Minority-Based Partnership Applications Recommended for Approval:

- Cass County- Diversity Dynamics
- Kosciusko- Sus Amigos/ Cardinal Center

These request are for year 2, but they are requesting the double amount, or for all of the money that is available for that county. Mrs. Gaillard added that ITPC has also received a proposal from Monroe County, but that it must be returned to the Review team for a second review. Motion to approve the listed counties was made by Dr. Keen, seconded by Mrs. Hart. Motion approved

November 30, 2002 Financial Report:

Mrs. Bates gave the financial report for the period ending November 30, 2002. Motion to approve the financial report as given was made by Dr. Blood, seconded by Dr. Keen. Motion approved.

Contract Review:

Dr. Blood moved to terminate our contract with Universal Behavioral Services, seconded by Dr. Feldman. Motion approved.

Dr. Blood moved to authorize ITPC staff to look for a fiscal intermediary for the remainder of the Universal Behavioral Services contract and if finding one, to be able to act on that before the next Executive Board meeting. Dr. Feldman seconded this motion. Motion approved.

Biennial Budget:

Mrs. Sneegas reminded the Board that the ITPC management team has been preparing the budget recommendations for the next biennium. On November 8, the management team met with the Budget Agency in preparation for ITPC's testimony. During this meeting, ITPC was advised that their \$25 million appropriation for this fiscal year was in jeopardy and that they might only receive \$4.4 million of that \$25 million appropriation. The ITPC management team listened to arguments from the Budget Agency but believed that the Attorney General opinion from November 2001 would clarify any question on our funding.

Mrs. Sneegas stated that ITPC's current appropriation was in question because of the statute over the Tobacco Master Settlement Agreement Fund that requires that the legislature only spend 60% of the funds coming in. Expenditures out of the MSA Fund have reached this 60% cap resulting in our funds not being appropriated and taken back.

Mr. Lux stated that the Master Settlement Agreement fund was established before the state received any payment from the Tobacco Settlement for the purpose of capturing all payments from the Tobacco Industry into one budget, separate from the General Fund. There is a statute that governs this fund and under this law is administered by the Budget Agency. This statute protects the funds from ever being transferred by anyone other than the legislature, unless authorized by another statute, such as the budget bill or some type of appropriation from this fund.

In 2000, the legislature started to deal with the question of how to spend the Tobacco Settlement revenue in Indiana. They made several health care appropriations, including the Tobacco Use Prevention and Cessation Trust Fund, which is governed by a separate law. The Executive Board administers this fund. Money in this trust fund does not revert out of the fund and accrues interest over time; the interest is reflected in our financial reports.

The next year, in the 2001 session, the legislature was dealing with the state budget and appropriated to the ITPC Trust Fund for the biennial, \$5 million for 2001-2002 and \$25 million for 2002-2003.

ITPC receives their appropriations in installments, as shown by the financial reports. These reports have shown that ITPC received a total of \$15 million of the appropriation for this fiscal year. Therefore, since July 1 of this year, \$15 million has been transferred from the MSA Fund into the ITPC trust fund. On December 3, \$10.6 million of the \$15 million in the ITPC trust fund was transferred out of the ITPC Trust Fund. ITPC has been advised that the remaining \$10 million would not be transferred into the ITPC account. Of the \$25 million for the 2002-2003 appropriation, ITPC has been told they will only receive \$4.4 million. Mrs. Sneegas stated that ITPC does not agree with the interpretation that the Budget Agency has given to them, and that they are continuing to look at the next steps.

Mr. Farris opened the floor for questions regarding the budget situation.

Dr. Keen made a motion that Mr. Farris send a letter to Governor O'Bannon on behalf of the Executive Board and request a meeting to discuss this fiscal crisis, motion seconded by Mrs. Barkley. Motion approved.

Indiana University Statewide Contract:

Mr. Farris reminded the board that the only outstanding statewide grant not signed is with the IU School of Medicine for the amount of \$208,000 for two years. This money would be given to the Medical School in order to train residents. The contract has yet to be signed, as Indiana University would not accept the clause that binds the grantee to refuse money from tobacco companies. ITPC will continue to work in options to ensure the contract moves forward.

Comprehensive Cessation Strategy:

Mrs. Sneegas stated that based on the action taken by the Board at the September meeting, we have moved forward on the comprehensive cessation strategy. We have a contract in the signature process for the interactive web site through the Massachusetts Department of Health. This contract, as well as five others, are currently being held up and are not being signed due to the budget situation discussed earlier. Regarding the Cessation Quit line, Mrs. Sneegas went on to say that we have been working on research on what other states are doing, however, we don't want to release an RFP until the budget issue is resolved.

Sponsorships:

Mrs. Sneegas said that we have had two sponsorships that we have acted on since the September board meeting. We provided a sponsorship to Channel 22 in South Bend to help conduct an outreach that will be a thirty-minute documentary, which will be hosted by Deb Daniels. Deb is a very predominant anchor of the evening news in the South Bend area. This 30-minute documentary will focus on the Cessation and Prevention and will be done in such a way, that we will be able to cut segments out that our other community partners will be able to use for educational purposes. ITPC has been working together with The Healthy Communities Initiative of South Bend, and with Channel 22. The documentary will be called "22 Reasons to Quit Smoking".

Another sponsorship that we are working on is with a Middle School Association. ITPC will partner with them for their statewide meeting, which will occur this coming spring. Both of these sponsorships are under \$10,000.

Media Report:

Mrs. Davidson provided a media update on sponsorships and paid media. She said that Golin-Harris accepted an award in New York on behalf of ITPC from Women Executives in Public Relations for the VOICE youth initiative against the marketing of Advance cigarettes in central Indiana. She also stated that the Indiana State Fair received national recognition for our 1st Tobacco Free Day at the Indiana State Fair.

Mrs. Voelz also coordinated a "Tobacco Free Day" at the Bartholomew County Fair.

Staff Report:

Mrs. Sneegas wanted to ensure the Board members that we are working just as hard as ever to keep this program moving in the right direction, and that we will continue to do so.

Mrs. Sneegas introduced Nichole Haars. Mrs. Haars's first day is today, and she is the new Regional Program Director for Central Indiana. Mrs. Sneegas went on to say that Mrs. Haars has a great background in tobacco prevention and cessation. She was most recently working with the Smokeless States project in Alaska. Mrs. Sneegas added that Anchorage went smoke free as of December 31, 2000.

Mrs. Sneegas said that we have not been able to make any movement on the other positions that were frozen. We have made a request again, but these positions remain frozen.

Since the September meeting, Mrs. Spitznagle and Mrs. Bates have conducted 5 Regional Evaluation Workshops in several cities around the state. Also, Mrs. Spitznagle has been busy overseeing the second media baseline survey, which is now completed. AIR is now doing analysis on that dataset.

Lastly, Mrs. Sneegas provided an update on two statewide partners. The first was a brochure developed by a pilot grantee in St. Joseph County, United Health Services Hearing and Speech Center. The brochure focuses on second hand smoke.

The second was an update on the FFA Center. Mrs. Sneegas went to Trafalgar, Indiana this fall to the Advanced Leadership Conference. FFA devoted a majority of that time to training on tobacco prevention. The State FFA from Indiana took an exhibit to the National FFA and reached over 50,000 young people from across the United States. Mrs. Sneegas closed by saying that we have had a great fall, and a lot of great things are starting to take place with all of our partners.

Mr. Farris adjourned the meeting at 2:50 p.m.